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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	1648	Press.
B.P. No.		Mis.
Dated	11-10-1878	197

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Archives 1-5,806-24-2-78.

1648
1

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

11th October 1878, No. 1,648.

Read the following paper :—

No. 111. Proceedings of the Board of Revenue, dated 16th August 1878, No. 2,302.

Read the following letter from W. S. FOSTER, Esq., Collector of the Godavery District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 20th July 1878, No. 185 :—

WITH reference to the Government endorsement, dated 26th ultimo, on petition No. 991 of 1878 presented by the Rajah of Pittapur, which was referred to me for report through the Board, I have the honor to state as follows.

2. The Board are aware that the question of treating lands as usual wet in several villages of Pittapur Estate, and of refunding water-tax collected on them in previous years, has been much discussed and formed the subject of correspondence between the Board and this office.

3. In the case of refund of water-tax collected in the village of Kongodu, the Board have, in their Miscellaneous Proceedings, No. 4,131, dated 19th May 1876, finally decided that so much of the water-rate as was collected on lands entered in the accounts as dry should be refunded to the Rajah, and so much as relates to lands entered in the accounts as wet should be refunded to the ryots from whom it was collected; and the same was again more fully explained in paragraph 2 of the Board's Proceedings, No. 4,827, dated 24th October 1877, that, as regards the lands which had been previously wet, the ryots had already paid wet assessment to the Rajah and they are therefore entitled to the refund of the amount of water-tax, while that collected on the land previously dry should go to the Rajah as the ryots paid nothing to him for irrigation.

4. On the above principle refunds of water-tax claimed in some villages had already been paid both to the Rajah and to the ryots as stated in paragraph 4 of my letter embodied in the Board's Miscellaneous Proceedings, No. 2,949, of 23rd March 1878, communicating G.O., No. 391, dated 13th idem, Revenue Department.

5. The Rajah's petition is herewith returned.

ENCLOSURE No. 1.—Petition.

SUBMITTED to Government with copy of Board's Proceedings, dated 24th October 1877, No. 4,827, with reference to endorsement on the petition dated 26th June 1878, No. 991.

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 112. ORDER THEREON, 11th October 1878, No. 1,648.

Miscellaneous.

THE Honorable the Rajah of Pittapur will be informed that the Government have received a report on his petition and see no reason to interfere.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.

To the Board of Revenue.
„ the Petition Department.

Exd. W. H. French.

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No. 2,302.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 16th August 1878.

Read the following letter from W. S. FOSTER, Esq., Collector of the Godavery District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 20th July 1878, No. 185:—

With reference to the Government endorsement, dated 26th ultimo, on petition No. 991 of 1878 presented by the Rajah of Pittapur, which was referred to me for report through the Board, I have the honor to state as follows.

2. The Board are aware that the question of treating lands as usual wet in several villages of Pittapur Estate, and of refunding water-tax collected on them in previous years, has been much discussed and formed the subject of correspondence between the Board and this office.

3. In the case of refund of water-tax collected in the village of Kongodu, the Board have, in their Miscellaneous Proceedings, No. 4,131, dated 19th May 1876, finally decided that so much of the water-rate as was collected on lands entered in the accounts as dry should be refunded to the Rajah, and so much as relates to lands entered in the accounts as wet should be refunded to the ryots from whom it was collected; and the same was again more fully explained in paragraph 2 of the Board's Proceedings, No. 4,827, dated 24th October 1877, that, as regards the lands which had been previously wet, the ryots had already paid wet assessment to the Rajah and they are therefore entitled to the refund of the amount of water-tax, while that collected on the lands previously dry should go to the Rajah as the ryots paid nothing to him for irrigation.

4. On the above principle refunds of water-tax claimed in some villages had already been paid both to the Rajah and to the ryots as stated in paragraph 4 of my letter embodied in the Board's Miscellaneous Proceedings, No. 2,949, of 23rd March 1878, communicating G.O., No. 391, dated 13th idem, Revenue Department.

5. The Rajah's petition is herewith returned.

ENCLOSURE No. 1.—Petition.

SUBMITTED to Government with copy of Board's Proceedings, dated 24th October 1877, No. 4,827, with reference to endorsement on the petition dated 26th June 1878, No. 991.

(A true Copy and Extract.)

A. H. Smith
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department, with Petition and copy of Board's Proceedings, dated 24th October 1877, No. 4,827.
Copy to the Collector of the Godavery District.

Exd. W. J. Lewis.

Oct. 11 (1878) 23rd Nov.

THE BOARD OF REVENUE.

Dated October 11th
Private 17th.

G.O., 11th October 1878, No. 1,618.

OCTOBER.
Nos. 111-112.



Wishes to collect on certain lands treated as usual wet in the Pittapur Estate, Godavery District.—Directing that the Rajah be informed that a report has been received on his petition regarding refund of — and say nothing to infer.

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No. 4,827.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th October 1877.

Read the following letter from W. S. FOSTER, Esq., Collector of the Godavery District, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated Cocanada, 20th June 1877, No. 166:—

With reference to Board's endorsement of the 15th August last, on Board's Petition No. 1,488 of 1876, I have the honor to report that I have called from the Rajah of Pittapur for the muchilkas filed by the ryots of Kongodu from fasli 1274 to 1281 and the accounts of those faslis. There is no mention whatever of water-tax in them. The Rajah contends that the ryots have always paid water-tax direct to Government and the full assessment of the muchilkas to him, and therefore no mention of water-tax is made in them.

2. There is nothing on record to prove the Rajah's contention that knowing that water-rate was being charged on all lands, he arranged with his ryots to get his assessment minus water-rate by the ryot to Government. The Rajah sent me a report purporting to have been signed by the relation of the Carnam of Kongodu and the Village Munsif and Pattendar thereof and dated 31st December 1872. An English translation of the report is enclosed. The Rajah labors to show that the village officers admit that assessments have always been fixed as he contends, but I rather think that they only quoted the purport of the Rajah's order. Even if they meant otherwise, I do not attach any importance to the document as it was executed after the Rajah thought it best to claim increased assessment from the ryots in consideration of the cancelment of the water-tax.

3. I learn from the Rajah's accounts that the assessments paid to the Rajah were as follow:—

Faslis.	Assessment per Year.		
	RS.	A.	P.
1274 and 1275	850	0	0
1276	854	8	0
1277 and 1278	903	8	0
1279	958	0	0
1280	1,293	0	0
1281	1,299	0	0

* The petition under report is returned herewith.

ENCLOSURE No. 1.—Petition.

ENCLOSURE No. 2.—Translation of Arzi.

It appears that a certain sum was collected as water-rate for anicut water in the village of Kongodu in the Zemindari of Pittapur. The water-rate was levied by Government from the ryots. In some cases it was levied on lands previously wet, and in some cases on lands previously dry. The entire amount was ordered to be refunded, because the total area irrigated by the anicut was found on inquiry to be less than the area allowed as mamool wet.

2. The question arose as to who was entitled to receive the refund. In the case of lands previously wet the ryots had already paid a wet assessment to the Rajah, and it was not right that they should pay for the water twice over; the amount which had been taken from them for anicut water was therefore restored to them (vide Proceedings recorded in G.O., dated 24th April 1876, No. 537). In the case of lands previously dry, the ryots had paid nothing for irrigation to the Rajah, and as it was necessary they should pay for the water used by them, they were evidently not entitled to a refund of what they had paid to Government as water-rate; that part therefore of the total refund, which had been collected from land previously dry, was handed over to the Rajah.

3. The Rajah in his Petition No. 1,488 of 1876 is not content with this, and asserts that he ought to receive the refund in the case of the wet lands also, inasmuch as he has received no wet assessment from them as assumed.

4. This is a question of fact which has been referred to the Collector for inquiry. The Collector's reply does not confirm the Rajah's statement. The Board decline therefore to disturb existing orders.

(A true Copy and Extract.)

(Signed) C. D. MACLEAN,
Additional Sub-Secretary.

To the Collector of Godavery District.
Endorsement to Petitioner.

Exd. T. D. Ryan.

state

the

Handwritten notes and signatures at the top of the page, including "The Rajah of Pittapur" and various dates.

Official stamp and text of the Board of Revenue, Madras, dated August 18th, 1878, No. 2,302.

Large area of handwritten notes and signatures at the bottom of the page, including "Water-las" and "Godavery District".

N. 991 of 1878. D. 15th April 1878.
Recd. 1st May 1878.

Enclosed full

From the Honorable The
Rajah Ras Venkata
Mahipathi Gun-
-gadhara Rama Rao
Bahadur Rajah of
Pittapur &c.

For Orders.

The Rajah of Pittapur
wrote in to ask that certain
G. O. N. 156 dated 13th March 1878, thanks Govt.
for ordering to deduct from early levied might be
the current Fuelis Pichhus, in part to the ryots as
the amount already decided had been settled by the
in Mettione's favor out of Board.

The Rajah's petition
was not clear and the
question was referred to the
Collector for elucidation.
In his reply - through
the
settled amicably; and
state.

1877.
Board of Revenue,
MADRAS.

PROCEEDINGS, 24TH OCT. 1877, No. 4,827.

Encl.

Received

OCTOBER.
No. 4,827.

Petition—No. 1,488 of 1876, presented by the
Rajah of Pittapur in Godavery District, claim-
ing the refund of water-rate collected for ancient
water in the village of Kongodu.—Refusing to
disturb existing orders on the subject.

Recd 3858/78
San. Secy to Govt.

states that statement with necessary details were already submitted to the Collector; that the amount to be paid to petitioner without the least objection is Rs. 91,976-3-9; that it appears from the correspondence relative to this affair that the amount Rs. 11,916-8-6 still to be refunded to petitioner is to be distributed among several ryots; but that such a course is not proper for reasons stated within; that under these circumstances, unless the Government render

the Board - he calls attention to certain correspondence that has passed between his office and the Board and particularly to Board's 24th Oct. 1877, No. 4827.

It appears that the sources of irrigation in various villages in the Pottapore Zaminidari were interrupted by the Amicut works.

It therefore became necessary to allow water free of charge to an extent of land in these villages equal to that which was formerly "Inamul" in such a course is not customary wet. Before this arrangement was settled water rate had been collected on all lands watered by the Amicut and thus refunds of the amount over collected have to be paid. The

him

water

him timely assistance in this critical time, he will sustain an irreparable loss.

Prays, therefore for the issue of orders to stop such payments being made to the ryots.

With respect from the Collector of Godavery embodied in Board's Pros. dated 16th Aug. 1878 No. 2302.

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water rate now to be refunded was collected from the ryots and in the case of land previously wet the refund is to be made to him because he had also paid the Zaminidar the usual amount paid by him on his wet lands.

In the case of land previously dry the refund is to be made to the Zaminidar presumably because the ryots have only paid him their former assessment which was a low rate for dry lands & he has lost on those lands that were formerly wet but are now dry owing to the interference of the Govt. works.

The principle seems sound

sound and the grounds of the
Zemindar's objection cannot
be made out from his present
petition but it appears that
he disputed in certain cases the
payment to him by the
villagers of their old assessments.

This, as the Board say is
a question of fact and in
the case of the village of
Hongunde, inquired into
by the Collector, the
Zemindar's statement was
considered by the Board

The refund of excess col-
lection is due to those
who paid it - The Govt.
The principle is the
same. The land appears
equitable & I do not think
there seems no case for
interference.

I think there can be no
doubt that he is not in proper
kind. He is refused to the
shop with it. leaving the
Zemindar to do just as he likes
by his own claims on them.

Wm. M. L. S.

Do 385

Section (West) 1891

1891

2/9

C 10-9-78

R 3-10-78

R 3-10-78

R 11-10-78